

**THE MINUTES  
FOR THE MARCH 5, 2013  
MEETING OF THE BOARD OF TRUSTEES  
OF THE INCORPORATED VILLAGE OF NORTHPORT  
MEETING AT 6:00 P.M.**

Present: Mayor Doll, Trustees McMullen and Tobin Village Clerk Donna Koch, Village Administrator Gene Guido, Village Attorney James Matthews

On the motion of Trustee McMullen and seconded by Trustee Tobin the Board moved into executive session 6:00 PM.

On the motion of Trustee Tobin and seconded by Trustee McMullen the Board moved out of executive session. 6:15 PM.

**ANNOUNCEMENTS:** No announcements.

**PRESENTATIONS:** No presentations.

**PUBLIC HEARINGS:** No Public Hearings.

**PUBLIC PARTICIPATION:** Bill O'Neill representing the Cow Harbor Warriors stated that at the January 15<sup>th</sup> board meeting the Cow Harbor Warriors (CHW) formally presented the Board with their request to hold the Cow Harbor Warrior event again this year. At that time the Board reserved decision, stating they wanted to hear from the local merchants. Mr. O'Neill asked if the Board had heard from the merchants and what that response was. The Mayor explained that the merchants do not want to see another mega event at that time of the year. Mr. O'Neill questioned which merchants have been asked. The Mayor replied that at the initial request there was a planned concert in the park. Mr. O'Neill stated that the CHW has withdrawn their request to hold a concert in the park. The Mayor responded that also since that time other issues have come up and we've said we are reserving decision until that is settled.

Pat FitzMaurice, Vice President of the CHW, said everyday they don't get a reply they are losing valuable fund raising opportunities. We understand that issues have arisen and we've asked several times to have meetings. Right now we are under the gun and are losing money daily. The CHW have never been formally notified of any issues that anyone has against us. We do have a letter from the American Legion which we responded to. Since then we've been met with silence. We've met with the town supervisor who didn't have questions himself, the goal of that meeting was to meet with the American Legion and hammer out some kind of middle ground that would appease the American Legion. The Mayor questioned if that had been done. Mr. FitzMaurice

responded absolutely.

Trustee Kehoe stated that operating as a municipality we will not make any final decision until we hear from the Supervisor and the Huntington Veterans Advisory committee. In this community the Northport American Legion is the gold standard on dealing with Veterans. They have more "skin in the game" then everyone else in the room and have earned the right to speak out on something like this.

Mr. O'Neill stated that this board was elected to make these decisions not the American Legion.

Trustee Tobin stated that this is really a joint event (with Huntington). When working in joint when one has a concern

The scheduled timing of this event does not work well in this Village. Before you ever approached the Village you already had it on your web-site. We are all trying to deal with you in good faith. We work with organizations and individuals and we give everything proper consideration. Trustee Tobin further remarked to state we are in someone's pocket is very offensive.

#### **BOARD APPROVAL OF WARRANT:**

On the motion of Trustee Tobin and seconded by Trustee McMullen the following bills were approved for payment.

**Fiscal Year 2012/2013 General Fund bills in the amount of \$ 49,957.09**

On the motion of Trustee Kehoe and seconded by Trustee McMullen the following bills were approved for payment.

**Fiscal Year 2013/2014 General Fund bills in the amount of \$ 8,380.01**

On the motion of Trustee McMullen and seconded by Trustee Maline the following bills were approved for payment.

**Fiscal Year 2012/2013 Sewer Fund bills in the amount of \$ 8,537.25**

On the motion of Trustee Kehoe and seconded by Trustee Tobin the following bills were approved for payment.

**Fiscal Year 2012/2013 Capital Fund bills in the amount of \$ 1000.00**

On the motion of Trustee Kehoe and seconded by Trustee McMullen the following bills were approved for payment.

**Fiscal Year 2012/2013 Trustee bills in the amount of \$ 225.00**

On the motion of Trustee Tobin and seconded by Trustee McMullen the following bills were approved for payment.

**Fiscal Year 2013/2014 Trustee bills in the amount of \$ 1575.00**

**COMMISSIONER REPORTS:** Trustee Maline reported we had interviewed for the position of Administrators Assistant and have made our decision and are waiting back to

hear from that individual.

Trustee McMullen reported that the parks have started their spring clean up but with more snow in the forecast they'll continue to work with the highway.

Trustee Tobin reported he is still waiting on the application process with the Suffolk County on the Waste water Treatment Plant grant.

Trustee Tobin also reported we had the first meeting of the parking committee. The goal is to get everyone's different ideas to try and find more available parking in the Village.

Trustee Kehoe reported the Police Department announced last Wednesday was Sergeant Schneider's last day and we continue to interview.

The Department is looking to do some community outreach work.

Also an Italian restaurant is going up in the King Kullen shopping center.

Mayor Doll reported that the Highway has been busy between snow storms doing trees and the sweeper and hot box has been out.

**CHIEF OF POLICE REPORT:** Chief Bruckenthal reported the boat should go in the first or second week of April, he has been in touch with the summer help and is getting the scheduling ready.

**ADMINISTRATOR'S REPORT:** Mr. Guido reported that there is a resolution on for tonight approving the costs of inspections for the Sewer Plant Upgrades with Gannett Fleming.

**NEW BUSINESS:** no new business.

**OLD BUSINESS:** no old business.

**CORRESPONDENCE:** no correspondence.

**REQUESTS:** A request from the Coast Guard Auxiliary Band to perform in the Park Bandshell June 18<sup>th</sup>, 2013 at 8:00 PM. was approved.

**RESOLUTIONS:**

On the motion of Trustee Tobin and seconded by Trustee McMullen with Trustee Maline abstaining the following resolution was passed.

**RESOLUTION 2013 ~ 13 APPROVAL OF THE FEBRUARY 19, 2013 MINUTES**

**WHEREAS:** Copies of the minutes of the February 19, 2013, meeting were sent to the Board for approval, therefore,

**BE IT RESOLVED** that said minutes are approved without reading, at this time

On the motion of Trustee Tobin and seconded by Trustee McMullen the following resolution was unanimously approved.

**RESOLUTION 2013 ~ 14 APPROVAL OF THE FEBRUARY 15, 2013 MINUTES**

**WHEREAS:** Copies of the minutes of the February 15, 2013, meeting were sent to the Board for approval, therefore,  
**BE IT RESOLVED** that said minutes are approved without reading, at this time

On the motion of Trustee Tobin and seconded by Trustee McMullen the following resolution was unanimously approved.

**RESOLUTION 2013 ~ 15 SETTLEMENT OF LAWSUITS**

**WHEREAS,** the property owner of property identified in the attached Schedule "A" has previously commenced legal challenges claiming that the subject property has been and continues to be assessed at a value which exceeds the appraised value of the subject property in use for various tax years; and

**WHEREAS,** the Village Assessor and the Village Attorney have engaged in extensive review of this legal challenge and the basis therefor, and have engaged in extensive research and investigation of the value of the property for assessment purposes and have had negotiations with the attorneys for the property owner, and based on these negotiations have achieved a settlement of this claim which represents a substantial compromise of the claim and which they recommend is in the best interest of the Village to accept; and

**WHEREAS,** the refund from the proposed settlement is without interest.

**NOW, THEREFORE, BE IT RESOLVED** that the Village Attorney is hereby authorized to execute a stipulation of settlement with respect to the Assessment challenge to the property identified in Schedule "A" attached hereto in accordance with the assessment amount approved and recommended by the Village Assessor and Village Attorney.

On the motion of Trustee Tobin and seconded by Trustee Maline the following resolution was unanimously approved.

**RESOLUTION 2013 - 16 ~ DECLARATION OF SURPLUS PROPERTY**

**WHEREAS:** the Village Clerk and Village Administrator have determined that the following vehicle/equipment which is the property of the Incorporated Village of Northport be deemed surplus:

- 1) 1999 Ford Crown Vic  
VIN: 2FAFP71WXXX191266
- 2) 2005 Mercury Outboard Motor  
1B189774 ~ 150 XL OPT.

**BE IT RESOLVED:** That this vehicle/equipment is hereby declared surplus property and the Village Clerk is hereby authorized to conduct a sealed bid auction of this property and is further authorized to convey title of this equipment to the highest bidder of this auction.

On the motion of Trustee Tobin and seconded by Trustee McMullen the following resolution was unanimously approved.

**RESOLUTION 2013 – 17 BOND RELEASE.**

**WHEREAS:** In a letter dated February 25 , 2013 Mike Nelson requested that the remaining \$10,000.00 cash bond, for “On the Rim” (Site Plan #65), at 469 Fort Salonga Road, be released, and

**WHEREAS:** The February 25, 2013 report from the Village Administrator, states that the Village received the final survey on August 27, 2012 and that the improvements are complete, and

**WHEREAS:** The report recommends the approval of the final survey and that the Planning Board recommend release of the \$10,000.00 remaining bond for Site Plan #65 “On the Rim” to the Board of Trustees, now therefore

**BE IT RESOLVED:** That Planning Board recommends to the Board of Trustees that they adopt a resolution approving the final bond release for “On the Rim” Site Plan #65, in the amount of \$10,000.00

The following resolution was put on hold until further information could be obtained.

**RESOLUTION 2013 – 18 APPROVAL OF PROPOSALS**

<b>BE IT RESOLVED:</b> Approval of proposals for the Waste water Treatment Plant Phase II upgrade to Gannett Fleming for the following;	
Shop Drawing review (100 submittals/30 resubmittals)	\$98,000
Technical Office Support/ Contractor Request for Information (18 months)	\$106,000
Special Inspections; Electrical (5days) Structural (2days) Geotechnical/Piles (8 days)	\$18,000
Attend Progress Meetings (once a month -14 months)	\$14,000
Update O&M Manual	\$8,000
	<hr/>
	\$244.000

On the motion of Trustee Tobin and seconded by Trustee McMullen the following resolution was unanimously approved.

**RESOLUTION 2013 – 19~**

**SCHEDULING A PUBLIC HEARING ON MARCH 20, 2013 AT 6:00 PM AT VILLAGE HALL, 224 MAIN STREET, NORTHPORT, NY TO CONSIDER THE REQUEST BY CROWN CASTLE NG EAST, INC. FOR LICENSE AGREEMENTS TO LOCATE TELECOMMUNICATION FACILITIES ON VILLAGE PROPERTY LOCATED AT THE VILLAGE BUILDINGS LOCATED ON THE VILLAGE PARKING LOT WITH ENTRANCE ON WOODSIDE AVENUE AND IN THE VILLAGE RIGHT OF WAY LOCATED ON THE SOUTH SIDE OF MAIN STREET APPROXIMATELY 40 FEET WEST OF LAUREL AVENUE ACROSS FROM 472 MAIN STREET. SAID PUBLIC HEARING SHALL BE CONDUCTED SIMULTANEOUSLY WITH A PUBLIC HEARING BEING HELD BY THE BOARD OF ZONING APPEALS TO CONSIDER APPROVAL OF A SPECIAL USE PERMIT FOR THE SAME TELECOMMUNICATION FACILITIES AT THE SAME**

LOCATIONS.

The following resolution was put on hold until further notice.

**RESOLUTION 2013 –20 PLANS EXAMINER**

**BE IT RESOLVED:** \_\_\_\_\_, of \_\_\_\_\_ is hereby hired as part time (not to exceed 17 ½ hrs weekly) Plans Examiner (assistant to the Administrator) at a rate of \$\_\_\_\_\_/hr.

The next meeting of the Board of Trustees will be on March 19, 2013 at 6:00 P.M

**A RESOLUTION FOR AN EXECUTIVE SESSION:** if necessary, for personnel and/or litigation matters.

Respectfully submitted,

Donna M. Koch  
Village Clerk

**SCHEDULE “A”**

<b><u>Tax Map No</u></b>	<b><u>Address</u></b>	<b><u>Current Assessment</u></b>	<b><u>New Assessment</u></b>
404 – 9 – 2 - 6	24 Woodbine Avenue	\$54,975	\$43,500

